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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-07-0776 CW
	)	
Plaintiff,	)	STIPULATED REQUEST TO VACATE
	)	HEARING DATE TO APRIL 16, 2008
v.	)	AND TO EXCLUDE TIME UNDER THE
	)	SPEEDY TRIAL ACT
RUDY VARVEL,	)	
	)	
Defendant.	)	Date: March 26, 2008
	)	Time: 2:00 p.m.
	)	Court: Hon. Claudia Wilken

The above-captioned matter is set on March 26, 2008 before this Court for motions, trial setting, or disposition. The parties request that the Court continue the hearing to April 16, 2008 at 2:00 p.m. and that the Court exclude time under the Speedy Trial Act between March 17, 2008 and April 16, 2008.

Although the currently pending indictment involves only two attempted bank robberies, the case involves a number of additional actual bank robberies. On March 10, 2008, the government produced substantial discovery, including digital media, related to the actual bank robberies. Defendant requires additional time to review the discovery produced by the government, to investigate this matter, and to effectively prepare for the hearing taking into account the exercise of due diligence. The extension is not sought for delay. The parties agree

1 the ends of justice served by granting the continuance outweigh the best interests of the public  
2 and the defendant in a speedy trial. Undersigned defense counsel represents that she has spoken  
3 with her client, Mr. Varvel, and that Mr. Varvel agrees to this request. Therefore, the parties  
4 further stipulate and request that the Court exclude time between March 17, 2008 and April 16,  
5 2008 under the Speedy Trial Act for the reasons stated above and pursuant to 18 U.S.C. §  
6 3161(h)(8)(B)(iv).

7  
8 DATED: March 17, 2008  
9

10  
11 /s/  
JAMES C. MANN  
12 Assistant United States Attorney  
Counsel for United States

/s/  
JOYCE LEAVITT  
Assistant Federal Public Defender  
Counsel for Rudy Varvel

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

11	UNITED STATES OF AMERICA,	)	No. CR-07-0776 CW
12	Plaintiff,	)	
13		)	[PROPOSED] ORDER GRANTING
14	v.	)	STIPULATED REQUEST TO VACATE
15	RUDY VARVEL,	)	HEARING DATE TO APRIL 16, 2008
16	Defendant.	)	AND TO EXCLUDE TIME UNDER THE
		)	SPEEDY TRIAL ACT
		)	
		)	Date: March 26, 2008
		)	Time: 2:00 p.m.
		)	Court: Hon. Claudia Wilken

The parties jointly requested that the hearing in this matter be moved from March 26, 2008 to April 16, 2008, and that time be excluded under the Speedy Trial Act between March 17, 2008 and April 16, 2008 to allow Defendant additional time to review the discovery, to investigate this matter, and to effectively prepare for the hearing taking into account the exercise of due diligence. For these stated reasons, the Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv),

**IT IS HEREBY ORDERED** that the status hearing in this matter is moved from March 26, 2008 to April 16, 2008 at 2:00 p.m., and that time between March 17, 2008 and April 16,

2008 is excluded under the Speedy Trial Act to allow for the effective preparation of counsel,  
taking into account the exercise of due diligence.

DATED: \_\_\_\_\_

\_\_\_\_\_  
HON. CLAUDIA WILKEN  
United States District Judge